

REMARKS

In the outstanding Office Action the Examiner indicated that the information in the Supplemental Information Disclosure Statement submitted on September 19, 2006 was not considered as failing to comply with submission requirements for Information Disclosure Statements.

Claim 11 was rejected under 35 U.S.C. §102(b) over YAMAGUCHI (WO 03/073753). Claims 1-7 and 9 were rejected under 35 U.S.C. §103(a) over YAMAGUCHI in view of ERTEL (U.S. Patent Application Publication No. 2002/0051462). Claims 8 and 10 were rejected under 35 U.S.C. §103(a) over YAMAGUCHI in view of ERTEL, and further in view of NIECZYPOROWICZ (U.S. Patent No. 6,724,741).

Initially, Applicants note that each of the documents noted in the Supplemental Information Disclosure Statement submitted on September 19, 2006 was previously submitted with the Information Disclosure Statement that was filed on March 10, 2006. Consideration of each of these documents was acknowledged by the Examiner based on the submission of the Information Disclosure Statement that was filed on March 10, 2006. Accordingly, Applicants note that the Supplemental Information Disclosure Statement submitted on September 19, 2006 merely brought to the U.S. Examiner's attention the characterization of the International claims by the International Examiner in the International Preliminary Report on Patentability, and consideration of the International Examiner's characterization by the U.S. Examiner is presumed based on the submission of the International Preliminary Report on Patentability with the Supplemental Information Disclosure Statement on September 19, 2006.

Upon entry of the present amendment, claims 1-11 will have been cancelled without prejudice to or disclaimer of the subject matter recited therein. Claims 12-19 will have been

added for consideration. The cancellation of claims 1-11 should not be considered an indication of Applicants' acquiescence as to the propriety of any outstanding rejection. Rather, Applicants have cancelled claims 1-11 in order to advance prosecution and obtain early allowance of claims in the present application.

By the present amendment, Applicants are also submitting replacement Figures 1, 5, 6, 8, and 12-15. These Figures are reproductions with translations of the corresponding Figures in PCT/JP04/15810, of which the present application is the U.S. National Stage. The corresponding Figures filed with the present application are not accurate reproductions and translations of the corresponding Figures in PCT/JP04/15810, and were inadvertently submitted at the time of filing the present application. The inaccurate Figures filed with the present application were filed as a result of miscommunications between Applicants' domestic and overseas attorneys. As a Notice to File Corrected Application Papers has not been issued in the present application, no fee is believed due for filing replacement Figures 1, 5, 6, 8 and 12-15.

Claims 12-19 recite combinations of features shown by way of example in modification 3 of Embodiment 1, and also in Embodiment 3 of the present application.

According to the embodiment of Figure 1 of the present application, a content service source 2 is a program provider that sends content data in two styles, i.e., high quality data 7 (S1-a) and low quality data 7b (S1-b). Similarly, a content service source 3 is another program provider that sends the content data in two styles, i.e., high quality data 7 (S2-a) and low quality data 7b (S2-b).

The content, such as TV broadcasting content, can be viewed by a cellular phone. The high quality data (S1-a or S2-a) can provide a clear video image, but requires a slight delay, e.g.,

5 seconds. The low quality data (S1-b or S2-b) can be viewed simultaneously, but shows only a still image.

According to the present invention, three streams are generated, provided that there are two broadcasting stations existing. In the example described above, the first stream (S1-a) contains packets PID1 (see paragraph [0042] of high quality data of service S1, and the second stream contains packets PID2 of high quality data of service S2. The third stream (S1-b and S2-b) contains packets PIDX (see paragraph [0047] of low quality data of all the services S1 and S2. The three streams are multiplexed and transmitted as a transmission stream.

According to the present invention, the multiplexed stream is shown in replacement Figure 15. According to the present invention, the multiplexed pattern has a first burst and a second burst. The number of bursts is determined by the number of existing broadcasting sources. The first burst contains the first stream having PID1 packets carrying the high quality data from service S1. In the first burst, the third stream having PIDX packets carrying the low quality data from all the services is inserted. The second burst contains the second stream with packets PID2 carrying the high quality data from service S2 and the third stream with PIDX packets.

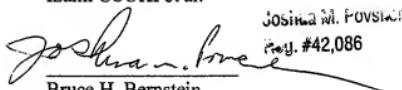
By this arrangement, while a user is watching the ABC by selecting the first burst, the cellular phone also receives the PIDX containing updated still pictures of all the available broadcasting stations. Then, when the user changes to watching content from another broadcasting source, the cellular phone immediately shows the still picture of the new second source that is stored while watching the first source. Then, within the delay period, e.g., five seconds, the video image of the new second source appears. If there are no PIDX packets contained in the burst, it is possible to show the still image of the newly tuned second station. In

such a case, the user sees a blank screen for the delay period, e.g., 5 seconds, before the actual video of the newly tuned second station appears.

None of the references discloses a feature of a multiplexed pattern in which a first burst contains the first stream and the third stream, and the second burst contains the second stream and the third stream, as described above. Accordingly, entry of new claims 12-10 and an indication of the allowability of each of these claims is respectfully requested.

Should there be any questions, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Izumi USUKI et al.



Josina N. Prostler
Reg. #42,086

Bruce H. Bernstein
Reg. No. 29,027

October 24, 2008
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191